

STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matter of Lourdes Lugo,
Senior Unemployment Insurance
Clerk (PS0383N), Department of
Labor and Workforce Development

Examination Appeal

CSC Docket No. 2020-1193

ISSUED: APRIL 17, 2020 (SLK)

Lourdes Lugo requests to file a late application for Senior Unemployment Insurance Clerk (PS0383N), Department of Labor and Workforce Development.

The PS0383N examination at issue was announced open to employees in unit scope N861 as of the August 21, 2019 closing date. A total of 69 employees applied for the subject examination, 68 were found eligible and the examination has not yet been scheduled. The appellant, an Unemployment Insurance Clerk in unit scope N861, applied to Senior Unemployment Insurance Clerk (PS0385N), Department of Labor and Workforce Development, which was announced open to employees in unit scope N864 as of the August 21, 2019 closing date. Accordingly, the appellant was found ineligible for PS0385N as she was not employed in the unit scope in which the examination was open.

On appeal, the appellant explains that she accidentally typed in the wrong symbol and applied for the PS0385N examination instead of the PS0383N examination. She states that if she had realized her mistake, she would have immediately corrected it.

CONCLUSION

N.J.A.C. 4A:4-2.1(e) provides that applications must be filed no later than the announced filing deadline. *N.J.A.C.* 4A:1-1.2(c) states that the Civil Service Commission (Commission) may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

In this matter, the appellant explains that she accidentally typed in the wrong symbol and applied for the PS0385N examination instead of the PS0383N examination. She states that if she had realized her mistake, she would have immediately corrected it. The Commission notes that the dual purpose of the Civil Service system is to ensure efficient public service for State and local governments and to provide appointment and advancement opportunities to Civil Service employees based on their merit and abilities. These interests are best served when more, rather than fewer, individuals are presented with employment opportunities. *See Communications Workers of America v. New Jersey Department of Personnel*, 154 N.J. 121 (1998). Under these circumstances, the Commission finds that there is good cause to relax *N.J.A.C.* 4A:4-2.1(e) and allow the appellant to submit a late application for the subject examination.

This determination is limited to the instant matter and does not provide precedent in any other matter.

ORDER

It is ordered that this request be granted and Lourdes Lugo be permitted to submit a late application for Senior Unemployment Insurance Clerk (PS0383N). It is further ordered that Lugo submit the attached promotional application and the \$25.00 application processing fee to the Division of Agency Services. The application and processing fee must be postmarked no later than 15 days from the issuance date of this decision. Upon receipt of the application and processing fee, it is ordered that her application be processed. Finally, if Lugo's application and the required payment are not postmarked on or before the 15th day after the issuance date of this decision, she will not be entitled to have an application for the subject examination processed.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 15TH DAY OF ,APRIL 2020



Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

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and
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Attachment

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